

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Dwile K. II,

File No. 20-cv-02321 (ECT/ECW)

Plaintiff,

v.

**ORDER ACCEPTING REPORT
AND RECOMMENDATION**

Kilolo Kijakazi,
Acting Commissioner of Social Security,

Defendant.

Magistrate Judge Elizabeth Cowan Wright issued a Report and Recommendation on September 26, 2022. ECF No. 41. No party has objected to that Report and Recommendation, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. § 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam); ECF No. 40 (Defendant's notice of no objections). Finding no clear error, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The Report and Recommendation [ECF No. 41] is **ACCEPTED**.
2. Plaintiff's Motion for Attorneys' Fees pursuant to the Equal Access to Justice Act [ECF No. 36] is **GRANTED**.
3. Plaintiff is awarded attorneys' fees in the amount of \$7,416.00, pursuant to the Equal Access to Justice Act; and \$500.00 in costs from the Judgment Fund administered by the United States Treasury and not by Defendant.

4. In accordance with the Equal Access to Justice Act and *Astrue v. Ratliff*, 560 U.S. 586 (2010), the fee award and costs are payable to Plaintiff as the litigant and subject to offset to satisfy any preexisting debts that the litigant may owe to the United States.

Date: October 12, 2022

s/ Eric C. Tostrud

Eric C. Tostrud

United States District Court